

NEBRASKA ADMINISTRATIVE CODE
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LAST ISSUE DATE: August 30, 1999

Title 234 - Board of Examiners for Land Surveyors - Rules and Regulations

CHAPTER - 9 - DISCIPLINARY ACTIONS:

001. The Board may revoke or suspend the registration of any land surveyor or place any land surveyor on probation when such land surveyor has been found guilty of: (1) fraud or deceit in obtaining a registration; (2) negligence or incompetency in the performance of his or her duties; (3) misconduct in the performance of his or her duties; or (4) failure to file a record of survey as provided in Section 81-8,122.01, R.R.S., 1943. Before the Board shall take such disciplinary action the applicant or registrant shall be given a hearing as provided in Section 81-8,124 to 81-8,125, R.R.S., 1943 conducted according to Chapter 11 and all other applicable rules and statutes. Sec. 81-8,122.01; 81-8,124 AND 81-8,125

002. The Board may revoke the registration of any inactive registrant when such registrant has been found guilty of: (1) fraud or deceit in obtaining a registration; (2) negligence or incompetency in the performance of his or her duties while actively registered; (3) misconduct in the performance of his or her duties while actively registered; (4) failure to file a record of survey as provided in Section 81-8,122.01, R.R.S., 1943 while actively registered; or (5) actively practicing land surveying while inactively registered. Before the Board shall take such disciplinary action, the applicant or registrant shall be

given a hearing as provided in Section 81-8,124 to 81-8,125, R.R.S., 1943 conducted according to Chapter 11 and all other applicable rules and statutes. SEC. 81-8,119.01; 81-8,122.01; 81-8,124 AND 81-8,125

003. The "Minimum Standards for Surveys" published, approved and recommended by the Professional Surveyors Association of Nebraska at its annual meeting in February 1989 is hereby made part of these rules and regulations as Addendum A. The "Minimum Standards for Improvement Location Surveys" is hereby made part of these rules and regulations as Addendum B. The Board in consideration of any action based upon negligence, incompetency or misconduct of any land surveyor or inactive registrant shall use these above noted addendums and all publications to which they refer. The use of these standards shall be the guideline for practice but shall not prevent the Board from using its collective experience and judgement to determine when negligence, incompetency or misconduct has occurred in any specific instance.

004. Any registered land surveyor or inactive land surveyor who received his or her registration based upon registration in another state shall be subject to disciplinary action based entirely upon actions taken by that state. In the event that said state revokes such registration the Board shall revoke the Nebraska registration. In the event that said state suspends such registration the Board shall suspend the Nebraska registration for a similar period. Any revocation or suspension implemented under this paragraph shall become effective 30 days after the action of the Board unless appealed by the registrant. In the event of an appeal the registrant shall be given a hearing conducted according to Chapter 11 and all other applicable rules and statutes. SEC. 81-8,124 AND 81-8,125